



County of Los Angeles Public Library ■ [www.colapublib.org](http://www.colapublib.org)  
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Margaret Donnellan Todd  
County Librarian  
April 12, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

25 April 12, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

### **MODIFY DELEGATED AUTHORITY FOR UNANTICIPATED LANDSCAPE AND GROUNDS MAINTENANCE WORK (SUPERVISORIAL DISTRICTS 1, 2, 4 AND 5) (3 VOTES)**

#### **SUBJECT**

The Public Library is recommending that the Board of Supervisors (Board) modify the authority previously delegated by the Board to the County Librarian for unanticipated landscape and grounds maintenance work to meet the Public Library's current needs.

#### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Modify the authority previously delegated by the Board of Supervisors to the County Librarian in five landscape and grounds maintenance service contracts, including 75269, 75369, 76752, 77244, and 77243, to meet the Public Library's current needs, by increasing the contingency for unanticipated work that the County Librarian, or her designee, may authorize from 10% to 20% of the current annual contractor's fee, resulting in minimal potential increases in the annual contract amounts (Attachment A).
2. Approve and delegate authority to the County Librarian, or her designee, to execute amendments, in form substantially similar to Attachment B, to increase the annual contract amount of five landscape and grounds maintenance service contracts, including 75269, 75369, 76752, 77244, and 77243, for the estimated cost of unanticipated work, not to exceed 20% of the current annual contractor's fee, on a year-to-year basis, for the remaining contract term including option years.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Performance of unanticipated landscape and grounds maintenance work is critical to the Public Library's operation. The need for such work arises out of health and safety emergencies and extraordinary incidents such as vandalism and third party negligence. Examples of unanticipated landscape and grounds maintenance services include:

- Special event landscape and grounds maintenance services
- Emergency mitigation of safety hazards related to trees
- Repair of landscaping due to rainstorms, accidents, vandalism or equipment failure
- Emergency repairs of irrigation systems due to accident, vandalism or equipment failure

The Public Library's existing contracts for landscape and grounds maintenance services, including 75269, 75369, 76752, 77244, and 77243, serve the needs of the Public Library Headquarters and a total of 41 libraries. Your Board previously delegated authority to the County Librarian for contingency increases to these contracts to cover the cost of unanticipated work at amounts not to exceed 10% of their respective contractor's annual fee. Based on this Board approval, each library facility is allocated between \$400 to \$600 per year for unanticipated landscape and grounds maintenance services.

As shown in Attachment C, actual expenditures for such unanticipated services have been more than \$600 to-date at some libraries. Without an increase in the annual contract amount to account for these unanticipated services, the Public Library may not be able to readily respond to unforeseen emergencies which can result in serious health and safety risks. While the Public Library recognizes that not all libraries would require emergency landscaping repairs on any given year, we cannot predict when such hazards may arise that would warrant the Public Library's immediate attention.

Your Board's approval of the recommended actions will provide increased flexibility to the Public Library in addressing the need for unanticipated landscape and grounds maintenance work. If no such need arises, the contract amount and funding for unanticipated work will not be used or expended.

## **Implementation of Strategic Plan Goals**

Approval of the recommended award is consistent with the County's Strategic Plan Goals in the areas of Operational Effectiveness (1) and Community and Municipal Services (3).

## **FISCAL IMPACT/FINANCING**

Actual usage of the contracts for unanticipated landscape and grounds maintenance work will be contingent upon the Public Library's budget and needs. Funding for unanticipated work is included in the Public Library's Fiscal Year 2010-11 Operating Budget.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Each of the above referenced contracts were established through a competitive solicitation process conducted by the Department and awarded by the Board of Supervisors.

The attached draft amendment was approved as to form by County Counsel.

Upon your Board's approval of the recommended actions, the final amendments will also require County Counsel's approval as to form prior to execution by the County Librarian.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will allow the Public Library to increase the use of existing landscape and grounds maintenance service contracts for unanticipated work due to health and safety emergencies and extraordinary events.

Respectfully submitted,

A handwritten signature in dark ink, reading "Margaret Donnellan Todd". The signature is fluid and cursive, with the first name "Margaret" being the most prominent.

MARGARET DONNELLAN TODD  
County Librarian

MDT:YDR:MR:bf

Enclosures

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors

## COUNTY OF LOS ANGELES PUBLIC LIBRARY

LIST OF CONTRACTS REQUIRING MODIFIED DELEGATED AUTHORITY  
FOR UNANTICIPATED LANDSCAPE AND GROUNDS MAINTENANCE SERVICES

Contract No.	Service Area	No. of Libraries Served	Current Annual Contract Term	Current Annual Contract Sum				Recommended Board Action		Remaining Contract Term
				Contractor's Fee	Estimate for Unanticipated Services	Total	Estimate for Unanticipated Services Per Library Served	Modified Delegated Authority for Unanticipated Services*	Potential Increase in Annual Contract Sum	
75269	Area 3	9	6/1/10 - 5/31/11	\$ 49,581.56	\$ 4,958.16	\$ 54,539.72	\$551	\$ 9,916.31	\$ 4,958.15	1.5 option years
75369	Area 5	12	9/15/10 - 9/14/11	\$ 50,849.47	\$ 5,084.95	\$ 55,934.42	\$424	\$ 10,169.89	\$ 5,084.94	1.5 option years
76752	Area 6	11	12/1/10 - 11/30/11	\$ 69,175.44	\$ 6,917.54	\$ 76,092.98	\$629	\$ 13,835.09	\$ 6,917.55	1 base year and 4 option years
77244	Area 8	9	3/16/11 - 3/15/12	\$ 51,829.08	\$ 5,170.92	\$ 57,000.00	\$575	\$ 10,365.82	\$ 5,194.90	2 base years and 2 option years
77243	Pub Lib Hqrtrs		3/16/11 - 3/15/12	\$ 14,487.24	\$ 1,512.76	\$ 16,000.00		\$ 2,897.45	\$ 1,384.69	2 base years and 2 option years
		41							\$ 23,540.23	

\* 20% of Annual Contractor's Fee

**AMENDMENT NUMBER \_\_\_\_ TO CONTRACT NUMBER \_\_\_\_\_  
FOR LANDSCAPE AND GROUNDS MAINTENANCE SERVICES FOR AREA \_\_\_\_**

THIS AMENDMENT NUMBER \_\_\_\_ TO THE LANDSCAPE AND GROUNDS MAINTENANCE SERVICES FOR AREA \_\_\_\_ CONTRACT NUMBER \_\_\_\_\_ (hereinafter "Contract") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by and between the **COUNTY OF LOS ANGELES**, a body corporate and politic and a political subdivision of the State of California, (hereinafter "County"), and **Sepco Earthscape, Inc.**, (hereinafter "Contractor").

**RECITALS**

**WHEREAS**, on \_\_\_\_\_, the County and the Contractor entered into Contract Number \_\_\_\_\_ to provide Landscape and Grounds Maintenance Services for Public Library facilities located in Area \_\_\_\_; and

**WHEREAS**, the Board of Supervisors (Board) approved this Contract at an annual contract amount of \$\_\_\_\_\_ and the Contract was later amended to modify the number of library facilities and to implement the new living wage requirement and the cost reduction/contract extension initiative; and the current annual contract amount is \$\_\_\_\_\_; and

**WHEREAS**, on February 16, 2010, the Board approved the annual contract amount for this Contract which includes an annual estimate for unanticipated work equal to approximately ten percent (10%) of the annual contractor's fee; and (*applicable to Contract Nos. 77244 and 77243*)

**WHEREAS**, on May 18, 2010, the Board delegated authority to the County Librarian to approve and execute amendments to increase the annual contract amount due to unanticipated work, on a year-to-year basis, not to exceed ten percent (10%) of the current annual contractor's fee; and (*applicable to Contract Nos. 75269, 75369 and 76752*)

**WHEREAS**, on \_\_\_\_\_, the Board modified the authority previously delegated by the Board to the County Librarian in five landscape and grounds maintenance service contracts, including 75269, 75369, 76752, 77244, and 77243, by increasing the contingency for unanticipated work that the County Librarian, or her designee, may authorize from ten percent (10%) to twenty percent (20%) of the current annual contractor's fee; and

**WHEREAS**, this Amendment Number \_\_\_\_ includes an increase of \$\_\_\_\_\_ in the annual contract amount due to unanticipated work, resulting in a total annual estimate for unanticipated work of \$\_\_\_\_\_ for this Contract based on the annual contractor's fee of \$\_\_\_\_\_; such increase is within the authority delegated by the Board to the County Librarian and the use of the contract amount for unanticipated work is contingent upon the Public Library's actual need; and

**NOW THEREFORE**, in consideration of the mutual promises, covenants and conditions set forth herein, the parties hereto and each of them does agree as follows:

1. Paragraph 5.0, Contract Sum, is amended to delete existing Sub-paragraph 5.1 in its entirety and replace with the new Sub-paragraph 5.1 as follows:

**5.0 CONTRACT SUM**

- 5.1 The maximum contract sum under the terms of this Contract shall be the total monetary amount payable by the County to the Contractor for provision of the Services specified herein in accordance with *Exhibit B\_ - Revised Maintenance Cost, and Exhibit C\_ - Contractor's Proposed Schedule*, and shall not exceed

\_\_\_\_\_ Dollars and \_\_\_\_\_ -  
\_\_\_\_\_ Cents (\$\_\_\_\_\_) for each year of this Contract, except as set forth in Sub-paragraph 8.4 - Amendments. The maximum contract sum is for twelve (12) monthly contract fee payments, and as needed landscape and grounds maintenance services, as provided in Section 9.0, Unscheduled Work, of the Statement of Work. The use of the maximum contract sum for any unanticipated work is not guaranteed by the County, and is contingent upon the Library's adopted budget and needs.

The Contractor will be paid the monthly Contract fee of \_\_\_\_\_ Dollars and \_\_\_\_\_ Cents (\$\_\_\_\_\_), approximately forty-five (45) business days in arrears, after submission of invoices, and shall not exceed \_\_\_\_\_ Dollars and \_\_\_\_\_ Cents (\$\_\_\_\_\_) for each year of this Contract. Approval of invoices submitted will be subject to auditing requirements of the County. The County agrees to compensate the Contractor for call-back and as-needed services which have been approved by the County Contract Project Director or his/her designee. The County shall pay the Contractor for these services at the rates set forth in Contractor's proposal referenced herein above.

3. Paragraph 8.0, Standard Terms and Conditions, is amended to delete existing Section 8.4.2 in its entirety and replace with the new Section 8.4.2 as follows:

## **8.0 STANDARD TERMS AND CONDITIONS**

### **8.4 AMENDMENTS**

8.4.2 For any change which affects the scope of work, term, Contract sum, payments, or any term or condition included under this Contract, an Amendment shall be prepared and executed by

the Contractor and by the Board, for the exception of which the County Librarian is expressly authorized to increase the contract sum set forth in *Paragraph 5.0, Contract Sum*, not to exceed **twenty percent (20%)** of the current annual contractor's fee on a year-to-year basis due to unanticipated work. Any such changes shall be in writing and signed by the Contractor and by the County Librarian or his/her designee.

4. RATIFICATION

All other terms, conditions, covenants and promises of the Contract not affected by this Amendment Number \_\_ shall remain in full force and effect and hereby reaffirmed.

5. EFFECTIVE DATE

The effective date of this Amendment Number \_\_ to the Contract shall be on the date this Amendment is executed by the County and the Contractor.

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**IN WITNESS WHEREOF**, the County and the Contractor have executed this Amendment, as of the day, month, and year first above written.

THE COUNTY OF LOS ANGELES

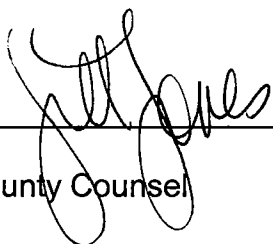
By: \_\_\_\_\_  
Margaret Donnellan Todd  
County Librarian

SEPCO EARTHSCAPE, INC.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Sepehr Raafat  
President

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN  
County Counsel

By:  \_\_\_\_\_ Date 3/24/11  
Jill Jones  
Deputy County Counsel

DETAIL OF UNANTICIPATED WORK FOR  
LANDSCAPE AND GROUNDS MAINTENANCE

**CONTRACT NO. 75269 FOR AREA 3**  
JUNE 1, 2010 - MAY 31, 2011 (OPTION YEAR 3)

LIBRARY NAME	SUP DISTRICT	AMOUNT	WORK DESCRIPTION
AC Bilbrew	2	\$ 520.00	replace remote control valve and 5 pop-up sprinklers; repair a broken main line in front of library; water temporarily shut-off to stop leaking
Carson	2	\$ 1,089.00	replace remote control valve; replace old sprinkler systems with pop-up sprinklers
Compton	2	\$ 872.00	replace and repair 21 sprinklers due to vandalism and install new remote control valve
Gardena	2	-	
Lawndale	2	-	
Lomita	4	\$ 1,274.00	replace remote control valve, 5 pop-up sprinklers and repair irrigation; trim overgrown trees blocking the lights in the parking lot
Manhattan Beach	4	-	
Martin Luther King Jr.	2	\$ 556.00	Trim trees along the wall blocking light to the parking lot.
Masao Satow	2	\$ 1,492.00	replace 3 pop-up sprinklers; remove leaning tree and fill-in with concrete
<b>Total Expenditures To-Date</b>		<b>\$ 5,803.00</b>	
<b>Annual Contract Estimate</b>		<b>\$ 4,958.16</b>	
<b>Remaining Balance</b>		<b>\$ (844.84)</b>	for the remaining annual contract term

**CONTRACT NO. 753690 FOR AREA 5**  
SEPTEMBER 15, 2010 - SEPTEMBER 14, 2011 (OPTION YEAR 3)

LIBRARY NAME	SUP DISTRICT	AMOUNT	WORK DESCRIPTION
Clifton M. Brakensiek	4	\$ 1,898.00	remove several dead large shrubs; trim overgrown ficus tree next to the ramp and trash enclosure; remove fallen tree and repair damaged grounds
Hollydale	1	-	
La Mirada	4	-	
Leland R. Weaver	1	-	
Los Nietos	1	\$ 372.00	remove large shrub and dead tree; plant sod in areas where shrub was removed
Lynwood	2	-	
Norwalk	4	-	
Paramount	4	-	
Pico Rivera	1	\$ 1,919.00	replace remote control valve; remove broken tree hanging above the roof; trim back branches from a large Pine tree that grew sideways over the roof; replace 7 broken pop-up sprinklers; remove fallen tree split in two and remove remainder of the tree
Rivera	1	\$ 109.00	replace 7 broken pop-up sprinklers
Sorensen	1	\$ 2,879.00	clean-up new parking lot, weed all planters surrounding the Library and parking lot; and plant several plants throughout the library grounds for grand opening event
South Whittier	4		
<b>Total Expenditures To-Date</b>		<b>\$ 7,177.00</b>	
<b>Annual Contract Estimate</b>		<b>\$ 5,084.95</b>	
<b>Remaining Balance</b>		<b>\$ (2,092.05)</b>	for the remaining annual contract term

**CONTRACT NO. 76752 FOR AREA 6**  
DECEMBER 1, 2010 - NOVEMBER 30, 2011 (BASE YEAR 3)

LIBRARY NAME	SUP DISTRICT	AMOUNT	WORK DESCRIPTION
Anthony Quinn	1	-	
City Terrace	1	-	
El Monte	1	-	
La Canada Flintridge	5	-	
La Crescenta	5	-	
Lancaster	5	\$ 65.00	repair damages to planter and replace plant that was damaged by a car
Littlerock	5	-	
Newhall	5	-	
Norwood	1	-	
San Gabriel	5	\$ 238.00	repair broken sprinkler and relocate 4 sprinklers to prevent waterflow into house next door and change nozzles on 7 sprinklers to prevent water spray on windows
South El Monte	1	-	
<b>Total Expenditures To-Date</b>		<b>\$ 303.00</b>	
<b>Annual Contract Estimate</b>		<b>\$ 6,917.54</b>	
<b>Remaining Balance</b>		<b>\$ 6,614.54</b>	for the remaining annual contract term

**CONTRACT NO. 77244 FOR AREA 8**  
MARCH 16, 2011 - MARCH 15, 2012 (BASE YEAR 2)

LIBRARY NAME	SUP DISTRICT	AMOUNT	WORK DESCRIPTION
Baldwin Park	1	-	
Diamond Bar	4	\$ 88.00	Replace 8 sprinkler heads in planter
Duarte	5	\$ 2,175.00	Replace 10 broken sprinklers, 1 RCV, 1 valve, 20 feet of pipe for irrigation.
Hacienda Heights	4	-	
La Puente	1	-	
Rowland Heights	4	-	
San Dimas	5	\$ 331.00	Replace 12sprinklers and 1 RCV.
Sunkist	1	-	
Walnut	1	-	
<b>Total Expenditures To-Date</b>		<b>\$ 2,594.00</b>	
<b>Annual Contract Estimate</b>		<b>\$ 5,170.92</b>	
<b>Remaining Balance</b>		<b>\$ 2,576.92</b>	for the remaining annual contract term

**CONTRACT NO. 77243 FOR PUBLIC LIBRARY HEADQUARTERS**  
MARCH 16, 2011 - MARCH 15, 2012 (BASE YEAR 2)

FACILITY NAME	SUP DISTRICT	AMOUNT	WORK DESCRIPTION
Public Library Headquarters		\$ 570.00	Repair/Replace 38 sprinklers throughout grounds
<b>Total Expenditures To-Date</b>		<b>\$ 570.00</b>	
<b>Annual Contract Estimate</b>		<b>\$ 1,512.76</b>	
<b>Remaining Balance</b>		<b>\$ 942.76</b>	for the remaining annual contract term